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Patent
Attorney's Docket No. 003300-339

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Tony PERVAN)

Group Art Unit: 3635

Application No.: 90/005,744)

\$ 09/343,694

Examiner: Y. Horton

Filed: June 13, 2000)

For: METHOD FOR JOINING BUILDING
BOARD)

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicant hereby responds to the recent filing of the reexamination requestor.

As is obvious from the numerous filings to date, in which numerous prior art references have been submitted, Applicant has endeavored to fulfil its obligations under 37 USC § 1.56, and apologizes for the delay in identifying the pending litigation.

Applicants confirm the information submitted by the third party requestor, with the exception of the statement that some of the actions were "pre-dating the filing of the Request for Reexamination." This statement is in error. The Request For Reexamination was filed on June 13, 2000, and the first of the civil actions was filed on July 7, 2000. For purposes of completeness, it is also pointed out that civil action no. 00-C-0999 was filed in the Eastern District of Wisconsin on July 14, 2000. The filing date was omitted from the Third Party Requestor's submission.

Applicant's attorney has been advised that, as of date, no material prior art information has been made of record in any of the pending litigation.

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In view of the statutory requirement for "special dispatch", Applicant believes that a stay of the proceedings would be inappropriate and should not be ordered. 35 U.S.C. § 305.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: December 20, 2000

CERTIFICATION OF SERVICE

I, William C. Rowland, hereby certify that a true copy of the foregoing communication, was mailed, via first class mail, on December 20, 2000, to:

Thomas P. Pavelko, Esq.
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Attorney for Third-Party Requestor

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Date: December 20, 2000

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